

April 15, 2020

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### SAFETY NEWS ALERT

**Safety News Alert**, part of the Catalyst Media Network, keeps safety pros up to date on the latest OSHA news, safety training ideas, workers' comp cases and injury cases from other companies. Read what more than 334,000 safety pros turn to regularly for occupational safety information. Safety News Alert's editorial staff is led by veteran Editor-in-Chief Fred Hosier.

## COVID-19: Which workers, industries are at heightened risk?

### ■ OSHA regs that apply to the pandemic

Due to the COVID-19 pandemic, non-essential businesses in many locations have been ordered to close. But some have to stay open. In which industries are workers more at risk?

OSHA says some workers may be at more risk, said Adele Abrams, occupational safety and health attorney, in a Premiere Learning Solutions webinar. That includes workers in these industries:

- healthcare
- mortuaries, funeral homes, etc.
- labs
- airlines, travel and transportation
- security, including the

- prison industry
- border protection
- solid waste and wastewater management, and
- those who traveled for business where the virus spread.

#### General Duty Clause and more

Federal OSHA doesn't have an infectious disease control regulation (but Cal/OSHA does).

Abrams says there are OSHA regulations that apply to the outbreak:

- the General Duty Clause (Section 5(a)(1) of OSH Act) which requires employers to furnish a workplace

*(Please see COVID-19 ... on Page 2)*

### RECORDKEEPING

## OSHA: Track COVID-19 spread in workplaces

OSHA is telling employers they must track any infections of the COVID-19 illness confirmed to have occurred in the workplace.

The agency has released guidance on handling exposure at work, including a reference to recordkeeping and reporting standards for workplace illnesses and injuries.

#### When is it recordable?

This applies to employers with more than 10 employees who are required to keep a record of serious work-related injuries and illnesses. Minor injuries – such as those requiring only first aid – do not need to be recorded.

OSHA defines a recordable injury or illness as any work-related:

- fatality
- injury or illness resulting in loss

of consciousness, days away from work, restricted work or transfer to another job

- injury or illness requiring medical treatment beyond first aid, and
- diagnosed case of cancer, chronic irreversible diseases, fractured or cracked bones or teeth and punctured eardrums.

There are also special recording criteria for work-related cases involving medical removal.

In other words, if a case of the 2019 novel coronavirus is confirmed to have been contracted as a result of employment, OSHA wants it recorded and reported, according to its webpage.

OSHA's COVID-19 webpage also includes information about other regulations that may apply.

Info: [tinyurl.com/oshavirus593](https://tinyurl.com/oshavirus593)

### OSHA adjusts respiratory reg enforcement

Because of COVID-19, OSHA issued new temporary guidance on enforcement of its respiratory protection standard in healthcare.

This guidance is meant to ensure healthcare workers have access to respirators that are in short supply.

OSHA recommends employers in healthcare provide employees who give direct care to coronavirus patients with other respirators which provide equal or higher protection, including:

- N99 or N100 filtering facepieces
- reusable elastomeric respirators with appropriate filters, or
- powered air purifying respirators.

OSHA recommends healthcare employers change from quantitative fit testing methods to qualitative methods.

Inspectors can choose to not cite employers if they:

- make a good faith effort to comply
- use only NIOSH-certified respirators
- implement strategies from OSHA and the Centers for Disease Control and Prevention for

- optimizing N95 respirators
- perform initial fit tests with the same respirator model, style and size the employee will wear
- conduct fit testing if a physical change in an employee that could effect fit is observed, and
- remind employees to tell a manager if their N95 respirator is compromised.  
Info: [tinyurl.com/N95resp593](http://tinyurl.com/N95resp593)

### COVID-19 ...

(continued from Page 1)

- free from recognized hazards that are causing or likely to cause death or serious injury
- the PPE regulation (1910.132), and also rules having to do with eye/face, respiratory, and hand protection
  - sanitation regulations (1910.141)
  - medical records access (1910.1020)
  - bloodborne pathogens (1910.1030)
  - hazard communication (1910.1200) related to the use of hazardous chemicals for cleaning and disinfection, including common sanitizers and sterilizers
  - the hazardous chemicals in labs regulation (1910.1450), and
  - recordkeeping and injury/illness reporting (1910.1904) – OSHA requires cases of coronavirus spread in the workplace to be recordable. Abrams says employers should follow the hierarchy of hazard controls:
  - First, **Engineering**: high-efficiency air filters, increased ventilation rates, physical barriers, drive-through customer service, and negative pressure ventilation for aerosol generating procedures
  - Second, **Administrative**: Sick leave, web meetings, telework, no non-essential travel, alternate days to reduce number of workers present at any time, emergency communication plans, education/training, and safe work practices, then
  - Third, **PPE**: properly rated; medical evaluation, fit test, and training; hazard-specific; consistently worn, inspected, maintained and replaced.  
Info: [tinyurl.com/atrisk593](http://tinyurl.com/atrisk593)

## SHARPEN YOUR JUDGMENT

This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.

### ■ DID SAFETY PLAN PROPERLY ADDRESS THE HAZARD?

Winter had come and gone. The sun was shining, and the flowers were once again in bloom.

“Oh no! It’s allergy season,” Safety Manager Pete Travers said just before suffering a violent sneezing fit.

His head throbbed as his sinuses were assaulted by flower and tree pollen during his walk in from the parking lot.

“Pete, pardon my saying so, but you look awful,” Attorney John Jenkins said as Pete walked in.

### Safety plan, onsite instructions

“I know,” Pete replied, sniffing. “Can I do something for you, John?”

“We received an OSHA citation,” John said. “Worker on a road crew was injured?”

“Yeah, Antonio Ramos was hit by a concrete truck,” Pete said. “Poor guy had both legs broken.”

“How’d it happen?” John asked.

“He was on foot, going to get some supplies,” Pete explained. “Our safety plan covers worksite traffic safety, and onsite instructions were that anyone on foot was supposed to walk in the dirt fields on either side of the roadway that was being constructed.

“But the fields were muddy, so he walked on the gravel of the unfinished road,” he continued. “A concrete truck didn’t see him, pulled away after unloading and hit him.”

“This is a case of unpreventable employee misconduct,” John said. “We can definitely fight this.”

Pete’s company fought the citation. Did it win?

- Make your decision, then please turn to Page 6 for the ruling.

## SAFETY COMPLIANCE *Alert*

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## COVID-19

### Will OSHA inspect home offices?

#### ■ ARE TELEWORKING EMPLOYEES AN ENFORCEMENT PRIORITY?

With employees working from home due to the COVID-19 pandemic, employers may wonder about workers' home offices and OSHA. Home offices are not subject to OSHA inspections.

OSHA won't come knocking on the doors to your employees' homes.

#### Defining 'work at home'

In 2000, the agency provided guidance to its compliance officers on inspection policies and procedures for employee home-based worksites.

The agency defines home-based worksite as "the areas of an employee's personal residence where the employee performs work of the employer."

It defines a home office as "office work activities in a home-based worksite (e.g., filing, keyboarding, computer research, reading, writing). Such activities may include the use of office equipment (e.g., telephone, facsimile machine, computer, scanner, copy machine, desk, file cabinet)."

When it comes to home offices, the guidance directive says OSHA won't

- conduct inspections of employees' home offices, or
- hold employers liable for employees' home offices, and doesn't expect employers to inspect an employee's home office.

If OSHA gets a complaint regarding a home office, the complainant will be advised of the policy, and if an employee makes a specific request, the agency may informally let the employer know about the complaint, but it won't follow up with the employer.

For other types of home-based work, such as manufacturing tasks at home, OSHA will only inspect if:

- a complaint indicates a violation of a safety or health standard exists that threatens physical harm, or
- an imminent danger exists, including reports of a work-related fatality.

Even then, the scope of the inspection is limited to employee work activities.

If an employer is required by the OSH Act to keep injury and illness records, it will still have to do so even if the injury or illness occurs in a home office, as long as it work-related and meets usual recordability criteria.

Info: [tinyurl.com/homework593](https://tinyurl.com/homework593)

## EXPEDITED APPROVAL

### EPA expands list of disinfectants for COVID-19

EPA expanded its list of disinfectant products qualified for use against COVID-19.

This list contains almost 300 additional products, including new products that just went through the EPA's expedited review process.

#### How products were tested

The expanded list is meant to ensure "Americans have greater access to as many effective and approved surface disinfectant products as possible and that they have the information at their fingertips to use them effectively," according to EPA.

Products on the list haven't been tested specifically against SARS-CoV-2, the cause of COVID-19,

but they are expected to be effective because "they've been tested and proven effective on either a harder-to-kill virus or against another human coronavirus similar to SARS-CoV-2."

#### More information

Listed products also now include active ingredients and the amount of time the surface should remain wet to be effective against a particular pathogen.

EPA says it continues to use its expedited process to identify new disinfectants to use against COVID-19.

Info: The list can be found on the EPA webpage on List N Disinfectants. Go to [tinyurl.com/ListN593](https://tinyurl.com/ListN593)

## TRENDS TO WATCH

Watch what's happening in various states. Some actions indicate trends.

#### ■ COURT: NO FIRING FOR FAILED MARIJUANA DRUG TEST

Workers in New Jersey are immune from termination if they fail a drug test because of medical marijuana, according to the state's supreme court.

The court ruled as long as employees aren't under the influence of the drug at work, medical marijuana patients are protected under the state's Law Against Discrimination.

This decision protects New Jersey's approximately 70,000 residents enrolled in the medical marijuana program from being discriminated against for using the drug.

Medical marijuana should now be treated like any prescription opiate, but users still need a prescription and can't report to work high.

Cite: *Wild v. Carriage Funeral Holdings Inc.*, NJ Supreme Court, 3/10/20, [tinyurl.com/njweed593](https://tinyurl.com/njweed593)

#### ■ RETURN-TO-WORK RATE GRADUALLY RISING

The return to work rate is showing a gradual increase in Texas, with a 5% improvement from 2007 to 2017.

In 2007, 78% of injured employees returned to work within six months post-injury, but after a decade, that rose to 83%, according to a report from the Texas Department of Insurance, Division of Workers' Compensation.

The number of injured workers returning to work after one year also went up across the same time frame, climbing 4% from 87% in 2007 to 91% in 2017.

Further, employees returning to work within six months of injury return to their pre-injury wage levels within two years in the state, and those who return within six months have the fewest days away from work.

Info: [tinyurl.com/rtw593](https://tinyurl.com/rtw593)

## Roundup of most recent OSHA citations

### **2 builders fined \$245K for fatal 20-foot fall**

Two Pennsylvania contractors were fined \$244,777 after an employee died from injuries suffered in a fall at a Media, PA, construction site.

**Fines:** \$170,560 (CLF Construction); \$74,217 (Toll Brothers Inc.)

**Companies:** CLF Construction, Philadelphia; Toll Brothers Inc., Chadds Ford, PA

**Businesses:** Framing contractor (CLF Construction); Single-family housing construction (Toll Brothers Inc.)

#### **Reasons for fines:**

CLF Construction:

*Two willful violations for failure to:*

- protect employees on working surfaces 6 feet or more above lower levels from falling through skylights by using personal fall arrest systems, guardrails or covers
- protect employees working 6 feet or more above lower levels by using guardrail, safety net or personal fall arrest systems

*One serious violation for failure to:*

- maintain accident prevention program Toll Brothers Inc.:

*One repeat violation for failure to:*

- protect employees working 6 feet or more above lower levels by using guardrail, safety net or personal fall arrest systems

### **Complaint leads to repeat fines, \$371K total penalty**

OSHA inspected this company after receiving a complaint about hazards.

Dana Rail Care is contesting a previous citation of more than \$550,000 after a fatality in May 2019.

**Fine:** \$371,276

**Company:** Dana Rail Care, Wilmington, DE

**Business:** Tank car cleaning

#### **Reasons for fine:**

*One willful violation for failure to:*

- provide full facepiece pressure demand supplied air respirator with auxiliary self-contained air supply for employee use in immediately-dangerous-to-life-or-health atmosphere

*Two repeat violations for failure to:*

- provide a medical evaluation to determine employee's ability to use respirator before employee was fit-tested or required to use respirator
- prohibit use of flexible cords and/or cables as a substitute for the fixed wiring of a structure

*19 serious violations, including failure to:*

- keep hazardous or flammable chemicals out of evacuation route
- clearly mark each exit with an "exit" sign
- keep powered industrial trucks in good repair
- fit-test employees using tight-fitting facepiece respirators before initial use and at least annually thereafter
- ensure breathing air met requirements in ANSI G7.1-1989
- assess the exposure of each employee who is or may reasonably be expected to be exposed to respirable crystalline silica at or above the action level

The company also received one other-than-serious violation

### **Workers told to stand on forklift to reach supplies**

A worker was injured falling off the elevated forks of a forklift.

**Fine:** \$221,257

**Company:** Nonni's Foods LLC, Ferndale, NY

**Business:** Cookie manufacturing

#### **Reasons for fine:**

*Two willful violations for failure to:*

- ensure employee on working surfaces with unprotected edges 4 or more feet above lower level was protected by using guardrail, safety net or personal fall arrest systems
- prohibit employees from standing on elevated forklift forks to reach storage areas (General Duty Clause)

*Two serious violations for failure to:*

- provide refresher training to forklift operators
- guard rotating bearings on conveyor

The company also received one other-than serious violation

## WORKERS' COMP DECISIONS

### **Injury isn't immediately reported: Benefits?**

A worker injured her arm, but failed to report it until after returning from vacation. Can she collect?

**What happened:** The worker wrenched her arm working on solar panels in high wind conditions. She didn't initially feel pain, but mentioned the incident to a safety officer. She went on vacation out of the country the next day, and began to feel pain, so she reported it upon her return.

**Company's reaction:** You didn't mention the injury was work-related when you were treated.

**Decision:** Yes, she could collect.

Because she mentioned it to the safety officer, and because medical evidence proved the injury occurred, her testimony was deemed credible.

**Cite:** *MA Mortenson Co. v. Reed*, AR Court of Appeals, No. CV-19-540, 12/4/19.

### **Pain on left, but surgery done on right: Benefits?**

A worker hurt his neck, reporting pain on his left side. He later had surgery for pain on his right side. Can he collect?

**What happened:** A delivery driver hurt his neck on the job. He reported it, noting it hurt across both shoulders. The pain settled to his left, but later returned to the right, so he underwent surgery.

**Company's reaction:** A doctor said your surgery had nothing to do with the work injury.

**Decision:** Yes, he could collect. There was no evidence of neck problems prior to the work incident, so the court found there was enough of a connection to justify benefits.

**Cite:** *Joiner v. United Parcel Service*, TN Supreme Court, No. 2017-06-0343, 12/6/19.

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# WHAT'S WORKED FOR OTHER COMPANIES

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SCA subscribers include a broad range of small, medium and large firms involved in all types of economic activity. In this regular section, three of them share a safety success story.

## 1 **What I changed to improve safety culture**

When I took over as Health and Safety Manager, I realized that my employer's policies needed some updating.

I noticed that certain employees had gotten used to doing their jobs without anybody telling them how to do the job safely.

They were so in their comfort zone that it was like nobody had told them "No, you can't do that," or "You should know that from your training."

There needed to be some consequences for horsing around with machinery on the job.

### Laying down the law

One policy I put in place is when someone is caught being reckless with a forklift, I pull their operator's certificate, report it to their supervisor, and tell them they can't drive again until they are re-trained.

Because of this change, one person was suspended. He was not only being unsafe – his actions were illegal.

Also, we have one

vehicle, and a lot of people use it. Another policy change I made is we run background checks on anyone that wants to use that vehicle.

The safety culture here is beginning to change.

Some people didn't like it at first, but sometimes safety managers have to practice a little "tough love" in order to keep in compliance.

*(Antonio Ruiz, Environmental Health and Safety Manager, Otis College of Art and Design, Los Angeles)*

**REAL  
PROBLEMS,  
REAL  
SOLUTIONS**

## 2 **See a problem? Say a problem**

Because I'm in charge of safety at multiple plants for my company in the region, I'm on the road a lot.

I'm not among the first to know about conditions that could be dangerous for our employees.

It gets frustrating when there's a delay in reporting issues, or injuries, a day or more after the fact, because putting it off almost always makes whatever it is worse.

That's why I have this saying that I repeat to our guys so it sticks in their

brains. We start every safety meeting with, "If you see a problem, say a problem."

### Works for injuries too

This reminds our employees that we care about their safety, and that they need to tell their supervisor about whatever they need to make their job more safe.

If they don't say something, we can't do anything about it.

This is also true for anyone injured on the job. Their duty is to report it to their supervisor immediately – not at

the end of the day.

I'm pro-workers' comp. I appreciate it when one of our employees, who

thinks they might be hurt at work, speaks up right away because that helps me protect their workers' comp rights. Immediate reporting means the workers' comp process can begin.

If more people said a problem when they saw a problem, it can prevent small problems from becoming big trouble.

*(Ty Stone, Safety Manager, SRM Concrete, Guyton, GA)*

## 3 **Let staff vent to get buy-in on new projects**

We needed to convince our workers to embrace new projects.

They were money-saving ideas that would also reduce our environmental liabilities – pollution prevention projects.

### They don't like change

But to the workers, it meant change, which can be tough for them to accept.

To win their support, I started holding weekly meetings partly so

workers could get any complaints they had off their chests.

I got the sessions going by asking for their feedback.

That helped loosen a few tongues and break the ice.

Workers started offering better ideas on how to make some of the changes we had proposed.

### Workers offered projects, too

I could tell we were all on the same page finally when workers started offering their own pollution prevention projects.

They were more likely to offer their

ideas after they became familiar with the environmental benefits the projects would bring.

One of their contributions: They had a great idea on mixing paints.

Their idea ultimately helped reduce our hazardous waste disposal costs by nearly 50%!

Getting their buy-in to new projects became a lot easier.

*(Gary Stimpson, Environmental Manager, Nichols Aluminum, Davenport, Iowa)*

## REGULATION

### What would emergency infectious disease rule look like?

Some members of Congress and professional associations have called on OSHA to initiate an emergency, temporary infectious disease regulation due to the coronavirus pandemic. What could an emergency regulation include?

One way to find out is to look at one state's rule that already exists and at the rulemaking that was started on a permanent infectious disease regulation back in 2015, according to Adele Abrams, occupational health and safety attorney, in a Premiere Learning Solutions webinar.

#### California's rule

California's Aerosol Transmissible Diseases (ATD) standard contains requirements for protecting employees from diseases and pathogens transmitted by aerosols.

COVID-19 is an airborne infectious disease covered by the ATD.

CalOSHA's ATD Standard applies to:

- hospitals, skilled nursing facilities, clinics, medical offices, outpatient medical facilities, home health care, long-term healthcare facilities, hospices, medical outreach services, medical transport and emergency medical services

- certain laboratories, public health services and police services that are reasonably anticipated to expose employees to an aerosol transmissible disease, and
- correctional facilities, homeless shelters, and drug treatment programs.

CalOSHA's ATD standard requires covered employers to protect employees from airborne infectious diseases and COVID-19 through effective:

- written ATD exposure control plan and procedures
- training
- engineering and work practice controls
- personal protective equipment
- medical services including vaccination and infection determination and treatment, and
- laboratory operation requirements.

#### Proposal that was in pipeline

In 2015, federal OSHA started the process of developing an infectious disease regulation. Since then, development on the standard has been back-burnered.

Under what was initially proposed, an employer would need to develop and implement a worker infection

control plan (WICP) for its facility that would:

- Identify the potential sources of infection in the facility
- Consider which employees are exposed to those sources of infection and develop precautions for those employees to follow to avoid infection
- Designate a responsible administrator
- Update the WICP at least annually, and whenever necessary (e.g., new job procedures)
- Determine how contractors, vendors, and licensed independent medical practitioners who operate in the employer's facility can adhere to infection control practices that are consistent with the employer's plan, and
- Develop, implement, and update written SOPs that are consistent with recognized and generally accepted good infection control practices.

We'll keep you updated on whether federal OSHA moves toward an emergency standard.

*Please check out website for updates on this story that may occur after our publication deadline.*

**Info:** [tinyurl.com/abramswebinar593](https://tinyurl.com/abramswebinar593)

### SHARPEN YOUR JUDGMENT – THE DECISION

(see case on Page 2)

No, the company lost. The court found Pete's company didn't do enough to mitigate traffic hazards on the worksite.

Pete's company claimed it had written policies and training on general traffic safety, so its employees were well aware of the hazards and knew how to avoid them without the need for a written, site-specific traffic safety plan.

OSHA, which felt a traffic safety plan was necessary, argued the company's general policies and training failed to prepare employees for the layout of the specific jobsite, leading to the injury.

The court agreed with OSHA that a written internal

traffic control plan should have been created for the site and then communicated to construction workers and drivers, so it upheld the citation.

#### ■ ANALYSIS: PROPERLY DOCUMENT SAFETY PLANS

This case illustrates the need to properly document safety plans, as the court pointed out "safety documents were typically reduced to writing because it aids memory, assists in training and provides a reference for proper communication."

A written plan can be communicated easily to all employees, aid in creating training materials and be referred to later for clarification of the specific worksites rules and procedures.

**Cite:** *Secretary of Labor v. Master Construction Co.*, Occupational Safety and Health Review Commission, No. 18-0170, 2/27/20. Dramatized for effect.

## Government notices on workplace safety

Here's SCA's digest of key notices that appeared recently in the Federal Register (FR) or on OSHA's website concerning workplace safety issues.

### HOURS OF SERVICE

Commercial drivers transporting COVID-19 emergency supplies and equipment are getting regulatory relief from federal hours-of-service rules, according to the Federal Motor Carrier Safety Administration.

The agency issued a national emergency declaration to give commercial vehicle drivers a break from HOS regulations while transporting emergency relief due to the pandemic.

By March 18, the FMCSA expanded the declaration to include deliveries of:

- immediate precursor raw materials, such as paper, plastic or alcohol, required for manufacturing essential items
- fuel, and
- equipment, supplies and personnel necessary to establish and manage temporary quarantine housing.

The expanded declaration clarifies that direct assistance doesn't include routine commercial deliveries – such as mixed loads with a small quantity of emergency relief added solely to comply with the declaration.

The declaration grants regulatory relief for commercial motor vehicle operations providing direct assistance supporting emergency relief efforts.

Covered relief efforts include:

- medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19
- supplies and equipment, including masks, gloves, hand sanitizer, soap and disinfectants necessary in preventing COVID-19 spread
- food for emergency store restocking
- equipment, supplies and people necessary for management of temporary housing and quarantine facilities related to COVID-19
- individuals designated by federal, state or local authorities for transport for medical, isolation or quarantine purposes, and
- personnel to provide medical or

other emergency services.

Once a driver completes their delivery, they must receive 10 hours off duty if transporting property, and 8 hours if transporting passengers.

Info: [tinyurl.com/hosrelief593](https://tinyurl.com/hosrelief593)

### GREASE TRAPS

OSHA has issued a hazard bulletin to warn employers and workers about the dangers of grease traps.

Workers can be injured if they trip and fall into a grease trap, and some types of grease traps could be considered permit-required confined spaces.

Grease traps separate fats, oils and greases from wastewater before the water flows into the sewer system.

Restaurants, food processing facilities, hotels, grocery stores and bakeries are all typically required to install grease traps.

These large capacity traps are often located outside, covered by a large manhole cover, where they are accessible to the workers who service them.

OSHA emphasizes grease trap covers must be adequately secured, and covers designed for residential use shouldn't be used for commercial purposes.

Several walking-working surface standards are applicable to grease traps.

Confined space standards also apply when grease traps are large enough for a person to enter.

Info: [osha.gov/Publications/OSHA3986.pdf](https://osha.gov/Publications/OSHA3986.pdf)

### MINING

None of the nation's 13,000 mines were dangerous enough to meet the screening criteria of the U.S. Mine Safety and Health Administration's pattern of violations enforcement.

This is the sixth consecutive screening resulting in no POV notices issued.

MSHA conducts POV screenings once a year, with the most recent covering the period from Feb. 1, 2019, to Jan. 31, 2020.

Info: [tinyurl.com/nopov593](https://tinyurl.com/nopov593)

### WHERE TO GET HELP

#### COVID-19 WEBINARS: SAFETY AND MORE COVERED

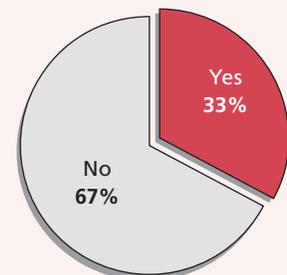
Premier Learning Solutions has webinars to help employers with the safety implications of the COVID-19 pandemic and other business factors.

- **Coronavirus in the Workplace: Employers' Duty to Protect Employees.** You'll learn what OSHA requires from employers and steps you can take to protect workers.
- **COVID-19 & Crisis Management: 7 Actions to Apply for Businesses of All Kinds.** This program covers the top issues companies are currently facing, while providing tools to minimize the impact.
- **Coronavirus & Remote Work: Pivoting from Bricks to Clicks.** Get the tools you need to help your company make the leap from employees working in the office to working remotely at home.

Info: [www.learningpremier.com](https://www.learningpremier.com)

### What safety pros say

Do you feel stressed out before you arrive at work due to your commute?



Source: One Poll and Batteries Plus Bulbs survey of 2,000 Americans

Twenty-six percent of those surveyed said their boss wouldn't consider commuting issues to be a valid reason to be late to work.

Info: [tinyurl.com/commute593](https://tinyurl.com/commute593)

Each issue of SCA contains an exclusive survey to give safety professionals insight into what their peers nationwide are thinking and doing.

# WHAT WOULD YOU DO?

Here's a challenging scenario you could encounter. We've asked three of your peers what they'd do. How would you handle it?

## Sudden storm wreaks havoc on dock, but safety stop is out of the question

### The Scenario

Rainfall beat steadily on the roof of the open dock as Manager Mike Kelly observed the shipping crew going about their loading duties.

The docks were busy. As soon as one trailer was loaded and moved from the dock door, an empty trailer was put in to take its place.

*This is trouble*, Mike thought as the rain began to come down harder.

Then the storm hit. Rain pounded on the roof furiously, raising a cacophony so loud it was difficult to hear anything else.

Heavy wind blew sheets of rain across the dock anywhere there were open doors.

Lashing rain forced water into every little crack and crevice around weather skirting meant to keep water outside. Leaks coming in through the skirting

formed puddles on the dock plates where trailers were sitting in doors.

### 'We can't afford to stop'

Despite the sudden chaos, the crew kept loading.

Mike stopped several forklift operators on his way to see Jack Hall, the shipping supervisor.

"Jack, we need to stop loading until this storm passes," Mike said.

Jack looked at him like he'd grown a second head.

"We're behind the eight ball and you want to call a safety stop over a little bit of rain?" Jack asked.

"The dock is wet and slippery," Mike said. "It's not safe."

"But we can't afford to stop, Mike," Jack insisted. "We're too far behind."

*If you were Mike, what would you do?*

coming onto the dock and that would allow operations to continue despite a heavy downpour.

Yes, this will affect the company finances, but leadership will have to weigh the risks between budget over personnel safety.

One injury could far exceed the cost of investing in building construction and the potential death, or severe or permanent injury, of an employee.

### 2 Mark Taylor, Safety Director, Cape Romain Contractors, Wando, SC

*What Mark would do:* Believe it or not, there are still employers out there who do not care about the well-being of their employees.

*Reason:* So if an employee slipped and twisted his knee, there goes his productivity curve and who is to say the storm would not pass within 15 to 20 minutes.

### Reader Responses

#### 1 Steven Johnson, EHS Director, NVE Inc., Herndon, VA

*What Steven would do:* From a safety perspective, this is an easy one and Mike made the right call.

Although every employee understands safety is everyone's responsibility, business and peer pressure often override our common sense, reason and logic.

*Reason:* What this comes down to is a business and prevention solution.

Once the storm has passed, then it's all hands on deck with dock management and safety at the helm, and having the workers watching over each other for safety's sake.

Then I recommend safety and dock management meet with senior leadership to discuss future shutdown prevention options, such as building an overhang to prevent rain from

### OUTSIDE THE LINES

#### ■ SHOULD I SEE MY DOCTOR? THERE'S A BOT FOR THAT

To help alleviate some of the strain on the medical community during the COVID-19 pandemic, the Centers for Disease Control and Prevention (CDC) have developed an assessment bot for patients.

The Coronavirus Self-Checker helps guide people to make decisions about seeking proper medical care.

CDC's system isn't meant for diagnosis or treatment. The bot leads the user through a series of questions. Depending on the answers, the bot then suggests a course of action.

It was co-developed by Microsoft.

People with emergency symptoms, including trouble breathing or blue lips or face, should seek medical attention immediately.

**Info:** [cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html](https://cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html)

### Did you know ...

Never exceed a forklift's rated load



Forklift drivers should also make sure the load is stable and balanced.

Source: OSHA

To prevent tip-overs, forklift drivers shouldn't raise or lower the load while traveling and should keep a safe distance from ramp edges.

**Info:** [tinyurl.com/forklift593](https://tinyurl.com/forklift593)

*This feature in each issue of SCA charts trends in national workplace safety and health to help safety professionals perform their jobs.*